

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov**

In re:

Chapter 13

Case No.: 6:12-bk-13706-CCJ

WINSTON CHISOLM

Debtor.

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**RESPONSE TO THE DEBTOR'S MOTION TO
DEEM CLAIM 7 OF BSI FINANCIAL SERVICES CURRENT**

BSI FINANCIAL SERVICES, AS SERVICING AGENT FOR US BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE IGLOO SERIES III TRUST (“BSI Financial Services” or “Secured Creditor”), by and through its undersigned attorney, files this Response to the Debtor’s Motion to Deem Claim 7 of BSI Financial Services Current (the “Response”), and in support states as follows:

1. On October 6, 2012 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code [D.E. 1].
2. On July 10, 2018, the Debtor filed its Motion to Deem Claim 7 of BSI Financial Services Current [D.E. 133] (the “Motion to Deem Current”).
3. Pursuant to the Motion, the Debtor alleges that the relevant loan was modified beginning June 1, 2017 (the “Permanent Modification”), was paid through the Plan and that, upon completion of the Plan, the Debtor started making direct payments to Secured Creditor and has continued making timely payments directly to the Secured Creditor and that the Permanent Modification was not honored by BSI Financial Services upon the loan being transferred to BSI Financial Services.
4. The Debtor seeks a preliminary hearing on the Motion to Deem Current and

reasonable attorney's fees and costs against BSI Financial Services.

5. Secured Creditor asserts that it has identified the apparent discrepancy in the loan accounting and has corrected the discrepancy.

6. Secured Creditor now asserts that the Debtor's loan has been fully reconciled and that it is currently due for August 1, 2018. However, Secured Creditor is still in the process of generating the updated loan statement and asserts that same will be issued to the Debtor and Debtor's counsel as soon as it is completed and available.

7. Secured Creditor asserts that a preliminary hearing on the Motion to Deem Current is not needed.

8. Secured Creditor reserves the right to supplement or amend this Response, if necessary.

WHEREFORE, BSI Financial Services, as Servicing Agent for US Bank Trust National Association, as Trustee of the Igloo Series III Trust, respectfully requests that this Honorable Court enter an Order Denying the Debtor's Motion to Deem Mortgage Current, and any such other relief that the Court deems just and proper.

Dated this 12th day of July, 2018.

Respectfully submitted,

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By: /s/ Chase A. Berger
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CERTIFICATE PURSUANT TO LOCAL RULE 9011-4(B)(1)

I certify that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice in this court as set forth in Local Rule 2090-1(A).

By: /s/ Chase A. Berger
Chase A. Berger, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 12, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

I also certify that the foregoing document is being served this day, either via transmission of Notice of Electronic Filing generated by CM/ECF or by first class U.S. Mail, upon:

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By: /s/ Chase A. Berger
Chase A. Berger, Esq.